

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant(s): LUYTEN, et al

Confirmation No.: 3238

Application No.: 10/069,495

Group Art: 1635

Filing Date: February 2, 2002

Examiner: Jon E. Angell

Title: GAS1 POLYPEPTIDES

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

1. Petition fee;
2. Reply and/or issue fee;
3. Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
4. Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity fee \$1,500 (37 CFR 1.17(m)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office Action in the form of a **Continuing Application and Preliminary Amendment** (identify type of reply):

☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for small entity or \$ _____ for other than a small entity disclaiming the required period of time is enclosed herewith (See PTO/SB/63).

STATEMENT: The entire delay in filing the required reply, from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b), was unintentional.

Fee payment:

- ☒ Charge the petition fee of \$1,500.00 to Account 10-0750/JAB1526US/YR.
- ☐ A check in the sum of \$_____ is attached.
- ☒ Charge Account No. 10-0750/JAB1526US/YR for any additional fee required.

Respectfully submitted:

_____/Yunling Ren/
YUNLING REN
Reg. No.: 47,019
Attorney for Applicant(s)

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One Johnson & Johnson Plaza
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Tel. No.: (732) 524-3385
Date: March 27, 2007
EPM

Enclosures: ☒ Fee Payment

- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional Sheets containing statements establishing unintentional delay
- ☐ Other: _____